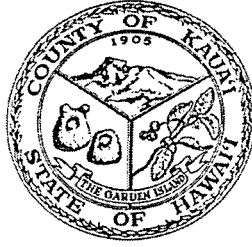


**COUNTY COUNCIL**

Jay Furfaro, Chair  
Nadine K. Nakamura, Vice Chair  
Tim Bynum  
Gary L. Hooser  
Ross Kagawa  
Mel Rapozo  
JoAnn A. Yukimura



**OFFICE OF THE COUNTY CLERK**

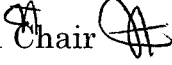
Ricky Watanabe, County Clerk  
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188  
Fax (808) 241-6349  
Email [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov)

**Council Services Division**  
4396 Rice Street, Suite 209  
Līhu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

October 24, 2013

TO: Bernard P. Carvalho, Jr., Mayor  
FROM: Jay Furfaro, Council Chair   
RE: **OCTOBER 23, 2013 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 23, 2013 Council Meeting:

**CONSENT CALENDAR:**

C 2013-343 Communication (09/26/2013) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Dorothy R. Bekeart to the Board of Review for the County of Kaua'i (*Designation – At-large*) – Term ending 12/31/2015. ***(Received for the Record.)***

C 2013-344 Communication (10/04/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-754, as amended, relating to the Fiscal Year 2013-2014 Capital Improvements Projects (CIP) Budget, by Revising the Amounts Estimated in the General Fund. (*Kaneiolouma Heiau - \$805,000, Complete Streets Kōloa/Po'ipū - \$333,528, Po'ipū Beach Park - \$333,527*) ***(Received for the Record.)***

C 2013-345 Communication (10/04/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-754, as amended, relating to the Fiscal Year 2013-2014 Capital Improvements Projects (CIP) Budget, by Revising the Amounts Estimated in the Bond Fund. (*Kaneiolouma Heiau - \$350,000, Heiau Contingency - \$63,407*) ***(Received for the Record.)***

C 2013-346 Communication (10/04/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Fiscal Year 2013-2014 Operating Budget, by Revising the Amounts Estimated in the General Fund, Solid Waste Fund, and Sewer Fund. ***(Received for the Record.)***

C 2013-347 Communication (10/04/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Fiscal Year 2013-2014 Operating Budget, by Revising the Amounts Estimated in the General Fund. (*Licenses & Permits/Dog (Street-Use - General Fund) - \$110,000, Kaua'i Humane Society (Special Projects) - \$110,000*) **(Received for the Record.)**

COMMUNICATIONS:

EDR 2013-03 Communication (07/24/2013) from Councilmember Yukimura, requesting agenda time to discuss and approve a proposed amendment to Senate Bill (S.B.) 16, Senate Draft (S.D.) 2 amending Chapter 196, Hawai'i Revised Statutes (HRS), (Solar Water Heating Law for New Single-Family and Duplex Construction) by requiring variance applications and requirements to be handled by the Counties, for inclusion in the 2014 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages. (*The Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee recommended approval on August 21, 2013.*) **(Received for the Record.)**

C 2013-334 Communication (09/19/2013) from the Salary Commission, transmitting for Council information, the Salary Commission's Resolution No. 2013-01, Relating to the Salaries of Certain Officers and Employees of the County of Kaua'i. **(Received for the Record.)**

C 2013-348 Communication (10/02/2013) from the Life's Choices Kaua'i Coordinator, requesting agenda time for Sarah C. W. Yuan, PhD, Associate Specialist from the University of Hawai'i at Mānoa Center on the Family to present the results of the Strategic Prevention Framework State Incentive Grant (SPF-SIG). **(Received for the Record.)**

C 2013-349 Communication (10/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$14,000 for Special Counsel's continued services provided for Defendant Shaylene Iseri-Carvalho in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (United States District Court), and related matters. **(Approved.)**

C 2013-350 Communication (10/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$35,000 for Special Counsel's continued services provided for Defendant County of Kaua'i in Tim Bynum vs. County of Kaua'i, et al., Civil No. CV12-00523 RLP (United States District Court), and related matters. **(Approved.)**

C 2013-351 Communication (10/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to \$40,000 for Special Counsel's continued services provided in County of Kaua'i vs. Michael Guard Sheehan, et al., Civil No. 11-1-0098 (Condemnation), Fifth Circuit Court, and related matters. **(Deferred.)**

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2013-55, Draft 1 – RESOLUTION ESTABLISHING A COUNCIL INVESTIGATING COMMITTEE TO INVESTIGATE THE MANAGEMENT AND IMPLEMENTATION OF THE TRANSIENT VACATION RENTAL AND FLOOD/BUILDING PERMIT ORDINANCES WITHIN THE COUNTY OF KAUAI *(Motion to Approve failed.)*

Resolution No. 2013-73 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW *(Dorothy R. Bekeart) (Approved.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2505) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND CIP *(Kaneiolouma Heiau - \$805,000, Complete Streets Kōloa/Po'ipū - \$333,528, Po'ipū Beach Park - \$333,527) (Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 11/20/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Proposed Draft Bill (No. 2506) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND *(Kaneiolouma Heiau - \$350,000, Heiau Contingency - \$63,407) (Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 11/20/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Proposed Draft Bill (No. 2507) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, SOLID WASTE FUND, AND SEWER FUND *(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 11/20/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

Proposed Draft Bill (No. 2508) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Licenses & Permits/Dog (Street-Use - General Fund) - \$110,000, Kaua'i Humane Society (Special Projects) - \$110,000) (Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 11/20/2013, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)*

BILLS FOR SECOND READING:

Bill No. 2499 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, KAUAI COUNTY CODE 1987, AS AMENDED, BY ESTABLISHING A NEW ARTICLE RELATING TO CHARGES AND FEES (*Approved.*)

Bill No. 2500 – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*SHOPO Arbitration*) (*Approved.*)

Bill No. 2501 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE BUDGET PROVISIO IN SECTION 2(E) RELATING TO THE COMMITTED RESERVE FUND BALANCE (*Approved.*)

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council  
Via E-mail: KCT Department Heads  
KCT CCs  
Staff